

**REMARKS**

**INTRODUCTION**

In accordance with the foregoing, claims 1, 4, 5, 7, 20 and 31 have been amended. Claims 11, 24-26 and 34 have been withdrawn. Claims 1-10, 12-23, 27-33, 35 and 36 are pending and under consideration.

**CLAIM REJECTIONS – 35 U.S.C § 112**

Claims 1-10, 17, 20-23, 30-33 and 35 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The following paragraphs address each indefiniteness rejection detailed on pages 2 and 3 of the Office Action in order to overcome the rejections under 35 U.S.C. 112, second paragraph.

Regarding claims 1 and 7, appropriate correction has been made to correct the term "paper sheets" to a term having antecedent basis.

Regarding claims 2 and 8, high strength paper versus low strength paper is defined in paragraphs [0039] and [0040] of the specification.

Regarding claim 4, appropriate correction has been made to recite that the first end of each of the first link members is linked to opposite sides of the rotary member rather than "both sides."

Regarding claim 5, appropriate correction has been made to recite that the first end of the third link member is fixed to the shaft that is fixed to the second end of the second link member rather "between" any other element.

Regarding claims 17 and 30, it is respectfully submitted that thick paper and thin paper are terms that should be clear to those skilled in the art. In paragraph [0035] of the specification it is described how a control unit 70 detects characteristics of the paper sheets such as thickness.

Regarding claims 20 and 31, appropriate correction has been made to replace "the driving unit" with "the pickup position varying unit" in order to recite the correct term having antecedent basis.

Withdrawal of the foregoing rejection is requested.

**CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1, 7, 12-16, 18, 19, 27-29, and 36 were rejected under 35 U.S.C. 102(b) as being anticipated by Gustafson et al. (U.S. Patent No. 6,382,619) (hereinafter “Gustafson”).

**Claims 1-10 and 36**

Independent claims 1, 7 and 36 recite: “...a pick-up position varying unit to move the pick-up roller to one position among at least two pick-up positions...” In contrast to claims 1, 7 and 36, Gustafson discloses a pick mechanism actuation system that only has one pick-up position. In the Office Action, it is asserted that the pick mechanism actuation system 72 of Gustafson meets the limitation of the pick-up position varying unit of independent claims 1, 7 and 36. The Applicant’s respectfully disagree. Although the pick mechanism actuation system 72 of Gustafson does move the pick roller 58 (corresponding to the pick-up roller of claims 1, 7 and 36) upward or downward according to the amount of paper in the stack, the pick roller 58 is always positioned at the same relative location on the piece of paper. Hence, Gustafson only provides one pick-up position. The present invention, as recited in claims 1, 7 and 36, provides at least two pick-up positions.

As recited in claims 1, 7 and 36, the pick-up position is set according to characteristics of the sheet of paper. As described in the specification at paragraph [0039] and shown in Figures 2 and 3 of the present application, the pick up rollers may be positioned at at least two pickup positions. Gustafson only discusses one pickup position where every sheet in the stack is invariably picked up by the pick roller 58 at the same point on the sheet of paper regardless of the type of paper being picked up.

Claims 2-6 are dependent on claim 1 and are therefore believed to be allowable for the foregoing reasons. Claims 8-10 are dependent on claim 7 and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

**Claims 12-23, 27-33 and 35**

Claims 12 and 27 recite: “...a pickup position varying unit to move the pickup roller to

pickup positions, wherein the pickup positions are pre-set in accordance with characteristics of the papers in the stack." Similar to the arguments presented for claims 1, 7 and 36, in contrast to claims 12 and 27, Gustafson discloses a pick mechanism actuation system that only operates to pickup paper at a single pick up position.

Claims 13-23 are dependent on claim 12 and are therefore believed to be allowable for the foregoing reasons. Claims 28-33 and 35 are dependent on claim 27 and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

#### **CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1, 2, 7-9, 12-17, 21, 27, 28, 30 and 36 were rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Publication No. 57-27838.

#### **Claims 1, 2, 7-9 and 36**

Independent claims 1, 7 and 36 recite, in part, a paper feeding cassette having a friction resistance plate, inclined by a predetermined angle to come into contact with a leading end of the paper sheet, to separate the paper sheets one by one. In contrast to claims 1, 7 and 36, Japanese Patent Publication No. 57-27838 discloses a separator pawl 3 that is not inclined at a predetermined angle to separate the paper sheets one by one. In Japanese Patent Publication No. 57-27838, the separator pawl 3 is perpendicular to the base of the paper cassette. As such, sheets of paper in the cassette are stacked to be flush against the side of the separator pawl 3. In the present invention, as recited in claims 1, 7 and 36, the friction resistance plate is inclined at an angle so that the sheets are separated one by one.

Claims 2 is dependent on claim 1 and are therefore believed to be allowable for the foregoing reasons. Claims 8 and 9 are dependent on claim 7 and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

**Claims 12-17, 21, 27, 28 and 30**

Amended independent claims 12 and 27 recite: "...a friction resistance plate inclined by a predetermined angle..." Similar to the arguments presented for independent claims 1, 7 and 36, in contrast to claims 12 and 27, Japanese Patent Publication No. 57-27838 discloses a separator pawl 3 that is not inclined at a predetermined angle, but rather discusses a separator pawl formed to be perpendicular to the base of the cassette so that sheets of paper are formed to be flush against the separator pawl.

Claims 13-17 and 21 are dependent on claim 12 and are therefore believed to be allowable for the foregoing reasons. Claims 28 and 30 are dependent on claim 27 and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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